

Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL SOURYAVONG, et al.

Plaintiffs

V.

LACKAWANNA COUNTY, et al.

Defendants

JURY TRIAL DEMANDED

DOCKET NO: 13-1534

PLAINTIFFS' MOTION
FOR ATTORNEY FEES AND COSTS

NOW COME Plaintiffs, Michael Souryavong, Edwin Velez, and Nelson Rolon, through their attorney, Cynthia L. Pollick, Esquire, and request that this Court award attorneys' fees and costs and states the following:

1. On May 27, 2015, this Court entered partial judgment against Defendant Lackawanna County, which was a finding of liability.
2. On November 4, 2015, the jury rendered a verdict award amounts for overtime compensation \$608.30 for Plaintiff Souryavong, \$4,672.50 for Plaintiff Edwin Velez, and \$307.50 for Plaintiff Rolon.
3. On November 5, 2015, judgment was entered in Plaintiffs' favor.

4. Plaintiff's counsel's currently hourly rate is \$400.00; and that rate was approved by opposing counsel in *Vito DePietro v. USDOJ*, USM-2013-00357.

5. Plaintiff's counsel also received \$400.00 per hour in the matter of *Harris v. City of Scranton*, 13-2282; however, opposing counsel did not specifically approve that hourly rate yet that was the rate paid.

6. Civil rights lawyers in our Scranton/Wilkes-Barre area have rates similar to Plaintiffs' counsel. (See Exhibit "C").

7. The Community Legal Service chart proposes the hourly rate of \$435 to \$505 for a lawyer who has been practicing between 16-20 years. (See Exhibit "D", CLS listing from 2014).

8. Plaintiffs' counsel spent 367.6 hours on Plaintiffs' case. (See Exhibit "A", Time sheets of Plaintiff's counsel).

9. Plaintiffs' Legal Assistants spent 98.1 hours on Plaintiffs' case. (See Exhibit "A"). Legal Assistants hourly billing rate is \$100.00.

10. Plaintiffs' Legal Researchers spent 16.75 hours on Plaintiffs' case. (See Exhibit "A"). Legal Researchers hourly billing rate is \$150.00.

11. Plaintiffs are seeking \$147,040.00 in attorney fees, \$9,810.00 for Legal Assistants, and \$2,512.50 for Legal Researchers plus costs of \$2,845.25, for a total of \$162,207.75 in attorneys' fees and costs. (See Exhibits "A").

12. Plaintiffs' counsel has spent seven (7) additional hours preparing this motion, brief, and affidavit along with exhibits. Consequently, Plaintiffs seek \$2,800.00 for preparing this request in addition to the fees above.

13. Plaintiffs reserve right to supplement this request based on any opposing efforts by Defendants.

WHEREFORE, Plaintiffs request that this Court enter an award of \$165,007.75 in attorneys' fees and costs.

By: /s/ Cynthia L. Pollick

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CERTIFICATE OF SERVICE

Cynthia L Pollick, Esquire, hereby certifies that on November 13, 2015, she served a copy of Plaintiffs' Motion for Attorney Fees and Costs by serving a copy via electronically on Defendant's counsel:

Harry Coleman, Esquire
Law Office of Harry Coleman
41 North Main Street, Suite 316
Carbondale, PA 18407

s/ Cynthia L. Pollick
Cynthia L Pollick, Esquire